COURT NEWS MARCH-APRIL 2003

Letter From Los Angeles

On December 27, Chief Justice Ronald M. George joined thousands of others across the state in fulfilling their civic obligation when he reported for jury duty at the Clara Shortridge Foltz Criminal Justice Center of the Superior Court of Los Angeles County. He was so impressed with how court staff handled the jury pool that he wrote a letter to Presiding Judge James A. Bascue commending the court on its procedures for orienting summoned jurors and on its successful implementation of the one-day or one-trial jury system.

In response to the Chief's letter, Superior Court of Los Angeles County Judge Jacqueline A. Connor wrote to thank the Chief Justice for his feedback and provide an update on the changing attitudes toward jury service and the challenges that still confront the jury system in Los Angeles County. Following is the text of Judge Connor's letter.

Chief!

I was delighted to see a forwarded complimentary letter from you following your Los Angeles jury service tour in December. I was off work and had not realized you were one of our county's 10,000 jurors for that day. I am very glad that the system worked as designed and hoped. Your letter provides valuable feedback on how we are doing.

I have received a great deal of feedback from less illustrious citizens than you, and these have been increasingly positive. Most of this feedback has come from eligible jurors who have previously always either been excused or simply ignored our invitation to "come on down." I am one of many in our court who never miss an opportunity to proselytize, and am finding more and more people who say they enjoyed their experience and actually look forward to coming back. Even better, I hear comments of appreciation for being part of a system that is becoming understandable and real. This is a tremendous benefit to all of us.

I am also happily seeing a tremendous improvement in my own courtroom in the diversity of panelists who come before me on a daily basis. We are, for the first time, seeing the entire community represented. Our director of jury services, Gloria Gomez, and I were on a 6 a.m. Sunday morning radio talk show a couple of weeks ago with call-ins, and I was expecting the familiar hostility. To our surprise, there was absolutely none. Instead, the calls either were about positive experiences or were questions about how they could work their

schedules around doing jury service. Not one call related to avoiding responsibility. This is a sea change.

We still have a lot of work to do to get the word out to both our own judges and the community, but a number of grass-roots efforts are under way. The Los Angeles County Bar leadership is working with me and the federal court to try to promote better pay policies within the local law firms, with the idea that once our legal community is solidly behind supporting jurors, we can then go to the business community.

We are still hamstrung by the large numbers of peremptory challenges that are available. Our numbers over the years clearly show that available challenges are rarely all used, and lawyers don't dispute that, but our panels still have to be large enough to accommodate the possibility of exercising all or most challenges. We end up wasting unconscionable numbers of jurors because of this and the attendant costs, both financial and to our limited reserve of goodwill. These cannot be underestimated.

A recent study showed that 54 percent of our summoned jurors never even make it into the jury box to be questioned. All studies consistently confirm that those most hostile to jury service are those who don't serve on a trial, and that one of the primary reasons summons forms are tossed rather than honored is the expectation (often true) that they would be excused anyway because they are too educated, too experienced, too whatever. . . . We continue to nurture and increase the size of this large class of disgruntled objectors with no real answer to their complaint.

I have spoken to hundreds of jurors who have articulated their distaste for the games they believe are being played with the exercise of many challenges. This remains the one place where many of us on the bench continue to experience overt and covert racism. Reducing the number of peremptory challenges would save money by reducing the raw numbers of jurors who must be summoned and available. We would also expect an improvement in the complexion and diversity of our panels with fewer available challenges—as well as an increase in the goodwill of those who do appear, by virtue of the fact they would need to be called less frequently (and perhaps would actually be used).

At any rate, add my thanks for your part in doing your service. It is lovely and a privilege to be able to say that even the Chief Justice served here!

Innovation

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Jury System Improvements (which had its sunset in December), IEP's jury program staff has been involved in many jury reforms, including the establishment of the one-day or one-trial system of jury service, the first jury fee increase since 1957, and the development of a juror handbook explaining the trial process and juror rights and responsibilities.

To help educate the public and improve the jury process in the state's trial courts, the jury program staff has led the effort to develop a model jury summons. Created in coordination with the task force, the model summons will be tested to make sure it is understandable and has customer appeal. In addition, the staff is supporting a statewide juror education and outreach campaign aimed at improving compliance rates.

KLEPS AWARDS

IEP administers and staffs the



The staff of the AOC's Innovative and Effective Practices Unit (left to right): John Burke, Nancy Taylor, Lucy Smallsreed, Dianne Bolotte, Beth Shirk, Lisa Lightman, Karen Jackson, Maya Dillard Smith, and Catharine Price. (Not pictured: Lusia Choate, John Larson, and Martha Wright.)

Judicial Council's Ralph N. Kleps Awards for Improvement in Administration of the Courts, which recognize innovative and effective court practices that are transferable to other courts. The IEP staff assists the Kleps Award Committee in reviewing nominations and conducting site visits.

The awards help to publicize and promote these effective practices to other courts. Award winners are featured in *Court News*, on the California Courts Web site, and in AOC-TV satellite broadcasts. They also are promoted and celebrated at the annual California Judicial Administration Conference.

PARTNERING WITH COURTS TO SHARE IDEAS

IEP is partnering with the organizers of the Central Region Courts Collaboration Best Practices Conferences. With funding from an AOC Regional Trial Court Opportunity Grant, nine courts from the central region of the state meet monthly to discuss court programs, policies, and procedures and share effective practices. Their goal is to promote organizational efficiency, cost-effectiveness, and customer service. The AOC will host the final meeting of the group in mid-May to document its findings.

LOOKING FORWARD

IEP plans to continue its work with courts and other justice system partners, and to increase its efforts to share promising practices and principles from its cornerstone projects. It will accomplish this through regional trainings, Web sites, online courses, and satellite broadcasts.

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CJAC 2003

Conversations in Critical Times



Judicial leaders have many common goals, such as protecting the independence of the branch, implementing effective administrative practices, and maintaining and enhancing public trust and confidence in the courts.

Those goals were put to the test in February at the California Judicial Administration Conference (CJAC) in San Francisco, where court leaders from throughout the state came together to tackle issues related to governing the judicial system. Centered on the theme "Judicial Branch Governance in Critical Times—Challenges and Opportunities," the conference provided a forum for policy discussions on protecting the integrity and independence of the judicial branch through accountability and efficient use of statewide resources.

Speakers, panels, and workshops focused on both the need to think and act as a cohesive statewide branch of government and the need for local courts to remain responsive to their communities. These sessions raised ideas and concerns about which court practices should be managed at the state level and which would be better placed under local control. Underlying all the discussions was the critical need to resolve these issues in the face of the current and impending budget challenges.

COURTS SHARE VALUABLE IDEAS, CONCERNS

The most interactive portions of the week's events were the daily breakout sessions. The 20 to 30 participants in each session consisted of a mix of justices, judges, appellate court clerk/administrators, and executive officers from both large and small courts.

Session facilitators asked participants to discuss issues related to judicial branch governance and statewide versus local control of court practices. Court leaders shared their honest perspectives on the issues and challenges common to all courts. Representatives of the Judicial Council and the AOC listened to their suggestions and concerns.

CONTINUING THE DIALOGUE

One of the main goals of CJAC organizers was to have the conference spark conversation, generate ideas, and facilitate information gathering. To that end, AOC staff members took notes to capture the substance of the breakout sessions, including the comments and concerns raised by court leaders.

In the week following CJAC, the AOC leaders and staff who had attended met to discuss what they had heard from court leaders, how to use that information to improve their services, and how to work in partnership with them.

POST-CJAC RESOURCES

The AOC is putting together a "post-CJAC" package of information and materials that is scheduled to be distributed in April. The package will include:

- ☐ A videotape overview of the event, including commentary from the chairs of the planning committee;
 - ☐ A summary of key points and discussion topics;
- ☐ Speeches presented at the conference, including that of Judge Roger K. Warren, President of the National Center for State Courts; and
- ☐ A how-to document for court leaders that will provide ideas for using the materials in their courts.

The AOC invites feedback on the post-CJAC materials and on any resulting conversations between court leaders and their staffs.

For more information, contact the AOC's Education Division,415-865-7745. ■



Superior Court of Tuolumne County Presiding Judge Eric L. Du Temple (left) addressed the audience during a panel discussion titled "Thinking and Acting as a Branch in Critical Times: Challenges and Opportunities." The session provided an overview of some of the issues surrounding branchwide governance. The panel, consisting of members of the Judicial Council as well as representatives of the courts, spoke of the challenges of integrating a statewide system of governance. Panel members also stressed the need to develop some statewide standards while being careful not to create an overly homogenized system.



The breakout sessions that were held on both days of the conference allowed court leaders to engage in an open dialogue about the issue of statewide versus local governance. Presiding justices and judges, executive officers, and appellate court clerk/administrators shared ideas with each other and with the Judicial Council and the AOC. Facilitators asked participants to consider a variety of questions about branchwide governance. Discussions focused on such topics as case management systems, staffing standards, security, accounting, and human resources.



On the second day of the conference, a panel made up of members of the CJAC Oversight and Planning Committees who had participated in the first day's breakout sessions presented to the entire audience ideas and concerns raised during those sessions. They reported that the discussions had brought up many good ideas and an equal number of challenges in regard to deciding which court practices should be statewide and which should be left to local control.

Guest speaker Judge Roger K. Warren, President of the National Center for State Courts, spoke about judicial branch governance. He provided participants with a national perspective on how states govern their court systems, and advised attendees that "governing is steering the boat, not rowing it." Judge Warren urged judicial leaders, as they approach the issue of developing a govern-



ing model for California's legal system, to keep the process participatory and open, engaging the courts, other justice agencies, and the public.

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Leadership Defined

MATTHEW S. RICHTER

The facts: We are in the middle of a budget crisis. We have more work now than ever before. The future of how we do business is unclear. We must continue to serve the public. We have great people working toward that goal. We need leadership in order to get there.

Fortunately, we already have some pretty darn good leadership. We need more. And in order to generate more leaders, we need to first understand what leadership is and what we need to do to foster it.

Defining leadership can be difficult. There is a myriad of classes, books, seminars, and articles that ardently define their versions of leadership. An analysis of these definitions, though, reveals that leadership can be a vague or overreaching concept.

However, there are some commonalities in the schools of thought. Most people agree that leaders have passion; they have a vision that they communicate to their followers; and they have a values system that illustrates how to get to that vision. Positive leadership weaves all three attributes into a cohesive tapestry. Passion is the artistry, vision is the template, and values are the thread that binds it all together. It's these three grand areas of leadership we'll explore in this column in the coming months.

PASSION

Think, for a moment, of Martin Luther King, Jr.'s "I Have A Dream" speech. That speech changed lives through the vision it inspired, through the values of equality and fairness it engendered, and mostly through the passion it radiated. Great, heroic leaders in history such as Franklin D. Roosevelt, Mahatma Gandhi, and Martin Luther King, Jr., had passion and inspired people toward high levels of fervor, fueled by admiration in their followers and by hatred in their opponents. Passion is often intrinsic, beginning as a seedling deep within a person, catalyzed and provoked by a leader's desire to move the crowd. Passion is two-way, the leader melding his or her own zeal with that of the crowd, instigating movement in a common direction.

VISION

Leadership requires a vision. More than an image in someone's head, vision is a complete understanding of the big picture, of where you are in that picture, and of where you want to go. Leadership guru Stan Slap says that the vision should be a better place than where we are today. It should be a clearly communicable picture of the future, steeped in values and philosophy as well as in structure.

A clear vision provides direction and establishes purpose.

For example, at the Center for Judicial Education and Research, we have a clear vision of curriculum development. We know what our curricula will look like three years from now. When a problem arises, our vision facilitates a solution. When our vision is challenged by outside forces, we have the structural strength to defend it. A clear vision is not always shared by all; it doesn't have to be. The vision belongs to the leader, and others work with the leader to find the best way to get to it. Great visionary thinking utilizes a symbiotic relationship between leader and team that fosters collaboration, innovation, and camaraderie.

VALUES

Finally, leaders have a set of values that set the standard for attaining their vision. These values are the "rules" that go beyond a descriptive term such as integrity or results orientation. In fact, words like integrity have become so overused in values statements that they can be rendered meaningless. True values need to contain deeper meanings, an application within the context of the organization, and a passion for adhering to them. The exercise of generating values organizationally is pointless unless either the organization is willing to change its culture to fit the values or, conversely, the values are actual descriptions of the current organizational culture.

As we look to individuals in the courts to rise to the challenge, we must recognize that leadership requires hard work. It requires all of us to realize the judicial system's passion, vision, and values. Leadership in the 21st century, leadership in the courts, is a robust and dynamic relationship that must be cared for and respected. Let's make it so.

Matthew S. Richter is a program manager for the California Center for Judicial Education and Research, responsible for development of staff management for the trial and appellate courts.

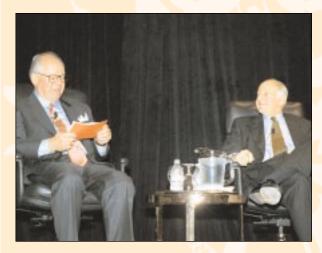
This is the first in a Court News series on leadership. Please contact Matt with article ideas, feedback, or suggestions at matthew.richter@jud.ca.gov.

Juvenile Courts Turn 100



At the California Judicial Administration Conference in San Francisco, Chief Justice Ronald M. George signed and displayed a resolution on behalf of the Judicial Council and the California judiciary. The resolution commemorates the 100th anniversary of the state's juvenile courts. On February 26, 1903, California became the seventh state in the nation to enact a juvenile court act when Governor George Pardee signed legislation creating a court with exclusive jurisdiction over proceedings for abused, neglected, and delinquent children under age 16. The Chief Justice was accompanied at the signing by Diane Nunn, Director of the Center for Families, Children & the Courts (CFCC) (right) and Audrey Evje, an attorney in CFCC. *Photo: Shelley Eades*

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Chief Justice Ronald M. George (right) and Administrative Director of the Courts William C. Vickrey (not shown) fielded questions from CJAC attendees on topics related to judicial administration, including challenges related to the judicial branch budget. The question-and-answer session was moderated by CJAC Oversight Committee Chair Justice Richard D. Aldrich (left) of the Court of Appeal, Second Appellate District, and CJAC Content Committee Chair Judge Richard Strauss of the Superior Court of San Diego County.



At regional meetings led by the AOC's three regional directors, presiding judges and court executive officers discussed the topics raised at the conference and how they might affect the courts in their respective areas.



AOC staff set up information tables in the foyer, where they shared information and provided updates on programs and services available to the courts. Present were representatives from a variety of AOC program areas, including collaborative justice, human resources, finance, family law, education, grant administration, governmental affairs, and communications.

Photos: Shelley Eades